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Customer No. 01933

Application No. 10/609,161 Response to Final Office Action

Attorney Docket No. <u>03369/LH</u>

IN THE UNITED STATES PATENT
___AND TRADEMARK OFFICE

Applicant(s): Muneyoshi IKEDA et al

Serial No. : 10/609,161

Filed : June 26, 2003

For : SWING CONTROL APPARATUS

FOR SWING TYPE HYDRAULIC

SHOVEL

Art Unit : 3745

Examiner : Frank D. Lopez

AMENDMENT UNDER 37 CFR 1.116

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

This is responsive to the Final Office Action mailed May 4, 2005, the term for response to which expires on August 4, 2005.

Amendments to the Claims are set forth in the listing of claims which begins on page 2 of this paper. Claims 1-8 and 13-16 are canceled; claim 9 is amended; and claims 10-12 are maintained.

Remarks begin on page 5 of this paper.

CERTIFICATE OF FACSIMILE TRANSMISSION TO NO. 1-571-273-8300

TOTAL PAGES: 9

Amendment (9)

I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents on the date noted below.

N. Daherdes

Nalini P. Sahadeo

Dated: <u>July 19, 2005</u>

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by form PTO-2038 attached hereto, authorization to charge the extension fee to Account No. 06-1378.